IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

Bail Appl..No. 487 of 2007()

C.R. NO. 8 OF 2007 OF KARUNAGAPPALLY EXCISE RANGE

PETITIONER/ACCUSED

SURESH, SON OF SURENDRAN,
RESIDING AT VISHNU BHAVANAM,
VADAKKUMBHAGAM DESHAM, THEKKUMBHAGAM VILLAGE,
KARUNAGAPPALLY, KOLLAM DISTRICT.

BY ADV. SRI.JOHNSON GOMEZ

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, THROUGH THE EXCISE INSPECTOR,
KARUNAGAPPALLY EXCISE RANGE.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

Bail Application NO. 487 of 2007

- - - - - - - - - - - - - - - - - -

DATED: 25-02-3007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in C.R. No. 8 of 2007 of Karunagappally Excise Range for offences punishable under Secs.55(a) and 67 B of the Abkari Act, for having been found in possession of 10.875 liters of IMFL in 29 bottles on 7-1-2006 and was arrested on the same day, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting inter-alia that the petitioner is an accused in another case of similar offence.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioners on bail.

This Application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

ani.